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Response under 37 CFR § 1.116  
Expedited Procedure  
Examining Group 1652

Attorney Docket No. 5778.200-US

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Berka *et al.*

Confirmation No. 7465

Serial No.: 09/482,788

Group Art Unit: 1652

Filed: January 13, 2000

Examiner: Ramirez, D.M.

For: Methods For Producing Polypeptides In Cyclohexadepsipeptide-Deficient Cells

AMENDMENT

Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Office Action dated April 23, 2002, please amend the above-captioned application as follows:

IN THE CLAIMS

Please cancel claims 70-97 without prejudice or disclaimer. Please add new claims 98-123 as follows:

98. A method for producing a secreted heterologous polypeptide, comprising:

(a) cultivating a mutant cell of a *Fusarium* cell under conditions conducive for the production of the secreted heterologous polypeptide, wherein (i) the mutant cell comprises a first nucleic acid sequence encoding the secreted heterologous polypeptide, and (ii) the mutant cell produces less of a cyclohexadepsipeptide than the parent *Fusarium* cell when cultured under the same conditions; and

(b) isolating the secreted heterologous polypeptide from the cultivation medium.